

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MARK ANTHONY GARCIA,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No. CIV-11-558-F
	)	
JOHN WHETSEL, <i>et al.</i> ,	)	
	)	
Defendant.	)	

**ORDER**

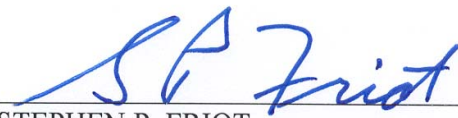
On June 20, 2012, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation, wherein he recommended that the court should revoke plaintiff's leave to proceed *in forma pauperis* and order plaintiff to pay the remainder of the filing fee within 21 days. Magistrate Judge Bacharach advised plaintiff of his right to object to the Report and Recommendation by July 9, 2012 and further advised that failure to timely object would waive plaintiff's right to appellate review of the suggested ruling.

To date, no objection to the Report and Recommendation has been filed, and no request for an extension of time to object has been filed. The record reflects that the Report and Recommendation was returned to the court as undeliverable. However, the Report and Recommendation was sent to plaintiff's last known address, and pursuant to LCvR 5.4(b), papers by the court are deemed delivered if sent to the last known address given to the court.

With no objection being filed by plaintiff within the time prescribed, the court accepts, adopts, and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Robert E. Bacharach on June 20, 2012 (doc. no. 25) is **ACCEPTED, ADOPTED, and AFFIRMED**. The court **REVOKES** plaintiff's leave to proceed *in forma pauperis* and **ORDERS** plaintiff to pay the remainder of the filing fee within 21 days from the day of this order. Failure to pay the filing fees by the date specified, to seek a timely extension within which to make payment, or to show cause in writing by the date specified for payment shall be cause for dismissal of this action without prejudice to refiling. *See*, LCvR 3.3(e).

DATED July 11, 2012.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE